

Senate Study Bill 1173

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
JUDICIARY BILL BY
CHAIRPERSON KREIMAN)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to bidders at a property tax sale and owners of
2 tax sale certificates and including effective and
3 applicability date provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1163SC 83
6 sc/rj/14

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1 1 Section 1. Section 446.16, Code 2009, is amended by adding
1 2 the following new subsection:
1 3 NEW SUBSECTION. 4. Only those persons as defined in
1 4 section 4.1 are authorized to register to bid or to bid at the
1 5 tax sale or to own a tax sale certificate by purchase,
1 6 assignment, or otherwise. To be authorized to register to bid
1 7 or to bid at a tax sale or to own a tax sale certificate, a
1 8 person, other than an individual, must have a federal tax
1 9 identification number and either a designation of agent for
1 10 service of process on file with the secretary of state or a
1 11 verified statement meeting the requirements of chapter 547 on
1 12 file with the county recorder of the county in which the
1 13 person wishes to register to bid or to bid at tax sale or of
1 14 the county where the property that is the subject of the tax
1 15 sale certificate is located.
1 16 Sec. 2. EFFECTIVE AND APPLICABILITY DATES. This Act,
1 17 being deemed of immediate importance, takes effect upon
1 18 enactment and applies to tax sales held on or after June 1,
1 19 2009.

EXPLANATION

1 20
1 21 This bill provides that a bidder at a tax sale for
1 22 delinquent property taxes must meet the statutory definition
1 23 of "person". Code section 4.1, subsection 20, defines
1 24 "person" and includes the following: an individual,
1 25 corporation, limited liability company, business trust,
1 26 estate, trust, partnership or association, or any other legal
1 27 entity. The bill provides that, in order to register to bid
1 28 or to bid at a tax sale or to own a tax sale certificate, a
1 29 person, other than an individual, must have a federal tax
1 30 identification number and either have filed with the secretary
1 31 of state a designation of agent for service of process or have
1 32 filed with the appropriate county recorder a verified
1 33 statement of trade name of a business.
1 34 LSB 1163SC 83
1 35 sc/rj/14